

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Kelly R. Brown, et al.

Serial No. : 10/020,021

Art Unit: 1617

Filed

December 7, 2001

Examiner: E. J. Webman

For

Implantable Biodegradable Devices For Musculoskeletal Repair or

Regeneration

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

March 5, 2004 (Date of Deposit)

William K. Wissing

(Name of applicant, assignee, or Registered Representative

March 5, 2004 (Date of Signature)

Commissioner for Patents P. O. Box 1450
Alexandria, VA 22313

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is
being filed either within three months of the filing date of the above-identified national
application (other than a continued prosecution application under §1.53(d)), within three months
of the date of entry into the national stage of the above identified application as set forth in
§1.491, or before the mailing date of a first Office Action on the merits of the above-identified
application, or before the mailing date of a first Office Action after the filing of a request for
continued examination under \$1.11%, no additional fee is required.
In accordance with \$1.120(a), this Information Disclosure Statement is being
In accordance with \$1.129(a), this Information Disclosure Statement is being
filed in connection with the first or second After Final Submission, therefore:
Statement in Accordance with §1.97(e) (attached); or
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0750/ / the fee of \$180.00 as set forth in \$1.17(p).
In accordance with §1.97(c), this Information Disclosure Statement is being filed
after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action
under \$1.113 or a Notice of Allowance under \$1.311, or an action that otherwise closes
prosecution and that it is accompanied by one of:
Statement in Accordance with \$1.97(e) (attached); or
Please charge Deposit Account No. 10-
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In accordance with \$1.97(d), this Information Disclosure Statement is being filed
after the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under
\$1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for
consideration of this Information Disclosure Statement. Included are: Statement in Accordance
with §1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p).
Copies of each of the references listed on the attached Form PTO-1449 are
enclosed herewith.
Copies of references listed on the attached Form PTO-1449 are enclosed
herewith FXCFPT THAT:

In view of the voluminous nature of references [list as
appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
Examiner, copies are not enclosed nerewith.
If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
There are no listed references which are not in the English language.
The relevance of those listed references which are not in the English language is as follows:
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ETH1613/WKW. This form is submitted in triplicate.
Respectfully submitted, William K. Wissing Registration No. 34757 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6201 Dated: March 5, 2004



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 1

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Serial Number	10/020,021
Filing Date	December 7, 2001
First Named Inventor	Kelly R. Brown, et al.
Group Art Unit	1617
Examiner Name	E. J. Webman
Attorney Docket Number	ETH1613
Attorney Docket Number	ETH1613
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Examiner Initials	Cite No. ¹	U.S. Patent Doc	ument				
		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	
		5,520,916		Dorigatti, et al.	05/28/1996		

					FOR	EIGN PATENT DOCUME	NTS				
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.